United Nations E/C.12/BGR/QPR/6

Economic and Social Council

Distr.: General
22 March 2016

Original: English
English, French and Spanish only

Committee on Economic, Social and Cultural Rights

List of issues prior to submission of the sixth periodic report of Bulgaria*

A. Issues of particular relevance

1. Please provide information on the progress achieved towards closing the gaps between rural and urban areas and addressing inequalities based on ethnic or national origin and on health status in the enjoyment of economic, social and cultural rights in the State party, notably in the areas of standard of living and access to health and education.

2. Please provide information on positive results achieved through the implementation of the National Roma Integration Strategy (2012-2020). Please also update the Committee on the impact of the measures taken, including but not limited to the Roma Strategy, to improve housing conditions for Roma and to put an end to de facto Roma-only settlements.

3. Please provide information on the measures taken to address the rising rate of young people not engaged in employment, education or training, especially Roma youth and young people living in remote areas.

4. Please provide information on the measures taken, and their impact, to combat poverty and social exclusion, especially among disadvantaged and marginalized groups and individuals, including Roma, families with three or more children, persons with disabilities and older persons.

5. Please provide information on the impact of the National Strategy on Migration, Asylum and Integration (2011-2020) and on the financial and administrative resources allocated to it.

B. Ongoing implementation of the Covenant

6. Bearing in mind that the Covenant is an integral part of Bulgaria's domestic law and that it has primacy over conflicting domestic legislation, please provide information on cases in which the Covenant provisions were invoked before, or applied by, domestic courts. Please also provide information on any case in which rights protected under the Covenant were successfully invoked before domestic courts, through the equivalent

* Adopted by the Committee at its fifty-seventh session (22 February-4 March 2016).

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provisions of chapter 2 of the Bulgarian Constitution (particularly arts. 46-55) or of the European Social Charter.

7. Please provide up-to-date data for the period 2012-2016 on the levels of public spending as a percentage of gross domestic product in the various sectors related to economic, social and cultural rights, notably social protection, health and education, and also indicate whether the levels of such spending were reduced during that period.

8. Please update the Committee on the remaining obstacles to combatting corruption in the State party, including within the judiciary. Please also provide information on the number of prosecutions brought and sentences handed down, if any, against high-level officials found guilty of corruption.

9. Please indicate the steps taken to implement the recommendations of the Subcommittee on Accreditation of the International Coordinating Committee of National Human Rights Institutions, based on the Paris Principles. Please also indicate if economic, social and cultural rights are covered under the mandates of the Ombudsman's Office and the Commission for Protection against Discrimination, and if so, please provide examples on how these rights were taken up by either body.

10. Please update the Committee on the legislative and policy measures taken to ensure gender equality and to shift the traditional and prevalent understanding of gender roles and responsibilities in the State party.

11. Please provide up-to-date data on the prevalence of unemployment, in particular long-term unemployment, in the State party since 2013, disaggregated by sex, age, ethnicity, nationality and health/disability status. Please also provide information on the impact of the steps taken to address unemployment.

12. Please provide information about the steps taken to amend the Labour Code in order to ensure that the provisions permitting employers to "opt out" of the general standard of 8 hours of work a day and 48 hours a week are tightened to avoid the risk of abuse and generally to ensure compliance with the International Labour Organization's Hours of Work (Industry) Convention (No. 1) (1919).

13. Please provide information on the measures taken or envisaged to raise the national minimum wage and to ensure that it is indexed to the cost of living so as to allow an adequate standard of living for workers and their families.

14. Please inform the Committee whether the State party intends to undertake the necessary legal revision aimed at: (a) removing the restrictions to the right to strike, stipulated by the Collective Labour Disputes Settlement Act; (b) modifying the general ban to strike for civil servants; and (c) relaxing the restrictions imposed on the right to strike by railway transport workers. Please also update the Committee on the steps taken to ensure that trade union rights can be fully exercised by all workers, including foreign workers, without fear of discrimination or repercussion.

15. Please provide information on impediments reportedly faced by asylum seekers and refugees in accessing social rights, particularly as regards social assistance, health care, education and social housing, and about the measures taken to address that situation.

16. Please provide information on the measures taken to ensure that unemployment and social assistance benefits are adequate and allow beneficiaries and their families to enjoy an adequate standard of living.

17. Please update the Committee on the progress achieved in the process of deinstitutionalization of children. In doing so, please provide information on the alternative living settings provided to deinstitutionalized children and the types of support offered to families with the aim of preventing family separation.

18. Please update the Committee on the prevalence of child labour in the State party. Please also indicate the measures taken to identify and assist children who are at a greater risk of being engaged in underage (child) labour, including in hazardous work.

19. Please provide data on the extent of homelessness in the State party, disaggregated by sex, age, ethnic origin, health status and describe the measures taken to address homelessness. Please provide information on the frequency of, and the reasons behind, forced evictions in the State party and indicate whether alternative housing and compensation are provided in such cases to those affected by forced evictions.

20. Please provide up-to-date data on infant and maternal mortality in the State party, disaggregated by ethnic origin, urban/rural areas and socioeconomic background.

21. Taking into account the still high rates of abortion and teenage pregnancy in the State party, please provide information on the steps taken to enhance access to sexual and reproductive health care, services and education.

22. Please update the Committee on the progress achieved in revising the legal regime governing the deprivation of the legal capacity of adults with intellectual and psychosocial disorders. Please also describe the steps taken to provide these persons with alternatives to institutionalization, such as community-based services, and the impact of such measures.

23. Please update the Committee on the measures taken to enhance access to medical care and treatment by persons with dementia and Alzheimer's, and to raise awareness about these diseases among the public at large.

24. Please update the Committee on the measures taken, and their impact, to improve access to quality education by all children, including asylum seeking and refugee children, and to reduce dropout rates, especially of Roma children.

25. Please indicate the steps taken, and their impact, to ensure that children with disabilities, including those currently enrolled in special and boarding schools, can access inclusive education.

C. Good practices

26. Please provide information on good practices in policy formulation and implementation, developed by the State party during the last reporting period, that have effectively contributed to the realization of economic, social and cultural rights, in particular of marginalized and disadvantaged individuals and groups. Please indicate how the Committee's previous concluding observations have been taken into account in developing such practices.